

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

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UNITED STATES OF AMERICA,

Plaintiff,

v.

KIMBERLY JACQUEL REBETTER;
LAMORSE COMPTON, JR.,

Defendants.

Case No. 2:17-cr-00228-KJD-NJK

ORDER

Before the Court for consideration is the Order and Report and Recommendation (#91) containing the findings and recommendations of Magistrate Judge Nancy J. Koppe entered December 16, 2020, recommending that Defendant Kimberly Jacquell Rebetter's Motion for Joinder (#79) to Defendant Lamorse Compton Jr.'s Motion for Bill of Particulars, or in the alternative, Motion to Dismiss (#77) be granted, and that Defendant Compton's Motion for Bill of Particulars, or in the alternative, Motion to Dismiss (#77) be denied. Defendant Compton filed Objections (#92) to the report and recommendation to which the Government replied (#93).

The Court has conducted a de novo review of the record in this case in accordance with 28 U.S.C. § 636(b)(1) and LR IB 3-2. The Court determines that the Order and Report and Recommendation (#91) containing the findings and recommendations of Magistrate Judge Nancy J. Koppe entered December 16, 2020, should be **ADOPTED** and **AFFIRMED**. The Court reviewed the Indictment and the parties' briefing and finds that as found by the magistrate judge, the Indictment clearly alleges Defendants' involvement in the alleged conspiracy, putting

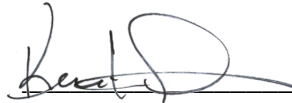
1 Defendants on notice of each element of the crime, conspiracy to commit wire fraud. Further, the
2 indictment adequately states the required mens rea. While Defendants may disagree with the
3 Government's ability to prove the elements, a trial exists to put the Government to its burden.
4 Further, Defendant Compton's objections reference the statute of limitations, but the Court could
5 find no points or authorities in his motion or reply raising this issue. This explains its absence
6 from the Judge Koppe's report and recommendation.
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8 IT IS THEREFORE ORDERED that the Magistrate Judge's Report and
9 Recommendation (#91) containing the findings and recommendations of Magistrate Judge
10 Nancy J. Koppe entered December 16, 2020, are **ADOPTED** and **AFFIRMED**;
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12 Defendant Rebetter's Motion for Joiner (#79) to Defendant Compton's Motion for Bill of
13 Particulars, or in the alternative, Motion to Dismiss is **GRANTED**;

14 Defendant Compton's Motion for Bill of Particulars, or in the alternative, Motion to
15 Dismiss (#77) is **DENIED**.
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17 Dated this 3rd day of February, 2021.

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20 Kent J. Dawson
21 United States District Judge
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